

REMARKS

Claims 1-3, 5, 13-14, 16-17, and 28-34 are pending in the application after this amendment. The withdrawal of claims is not to be considered in any way an indication of applicants' position on the merits of the withdrawn claims. In the following sections of the Amendment the restriction requirement and rejections set forth by the Examiner in the March 20, 2003 Office action are addressed. The restriction requirement and rejections are respectfully traversed, and detailed arguments are set forth below. Reconsideration of the claims is requested in view of the foregoing amendments and the following remarks.

Turning first to the restriction requirement, the Examiner indicates that claims 4, 6-12, 15, and 18-23 stand withdrawn from further consideration as being drawn to a nonelected species and invention. Applicants strongly disagree with the Examiner's statement that there is no allowable generic or linking claim. As discussed in Paper No. 5 and reiterated below, claims 1, 13, and 24 (now withdrawn for purposes of obtaining an early allowance) are generic and/or linking of all the claimed embodiments. Applicants also disagree that the election was made without traverse in Paper Nos. 5 and 8 as it was specifically set forth in both papers that the provisional application was made with traverse.

Applicants would like to point out that they have responded to two restriction requirements. In the first, the Examiner asked required restriction to one of the species presented in Figures 2-7 and 9 respectively. Applicants made a provisional election (as required), but the election was made with traverse and arguments were presented. In the second, the Examiner appeared to agree with applicants' arguments (as the claims seemed to have been reinstated) and asked for an election to either the apparatus or the method claims. To expedite the patent prosecution process (and in view of the Examiner's apparent reinstatement of the previously withdrawn claims), applicants chose to elect the apparatus claims with traverse, but without presenting specific arguments. In the March 20, 2003 Office action, the Examiner withdrew all the claims withdrawn in response to both the first and the second restriction requirements.

Application No. 09/832,642  
Amendment dated June 20, 2003  
Reply to Office action of March 20, 2003

As mentioned above, applicants believe that independent claims 1 and 13 are generic and/or linking claims as they would be readable on the embodiments shown in FIGS. 2-7 and 9. (Independent claim 24, now withdrawn, is a method claim that could be implemented using the embodiments of the apparatuses shown in FIGS. 2-7 and 9.) None of the limitations specified in claims 1, 13, and 24 are mutually exclusive of any of the elected or non-elected species. As noted in M.P.E.P. Section 806.04(f), "claims to be restricted to different species must recite the mutually exclusive characteristics of such species." Since the limitations presented in claims 1, 13, and 24 are not mutually exclusive of either the elected or non-elected species, prosecution of these claims in the present application is proper and is respectfully requested. 37 C.F.R. 1.141 (and M.P.E.P. Section 806.04(a)) specifically provides that a reasonable number of species may be claimed when there is an allowed claim generic thereto.

If claims 1 and/or 13 are allowed, applicants would like to remind the Examiner that when a generic claim is found to be allowable, all claims to each of the additional species embraced by an allowable generic claim should be considered no longer withdrawn as set forth in M.P.E.P. Section 809.02.

Turning next to claim rejections, the Examiner rejected the claims as anticipated by or obvious over U.S. Patent No. 3,676,776 to Bauer et al. (the "Bauer reference"), U.S. Patent No. 4,740,746 to Pollock et al. (the "Pollock reference"), U.S. Patent No. 5,982,187 to Tarzwell (the "Tarzwell reference"), or U.S. Patent No. 5,997,360 to Gen-Kuong et al. (the "Gen-Kuong reference").

The Bauer reference is directed to a testing probe construction having contact needle probes having a flexible slender construction to automatically compensate for spacing variations. The probe tip is a generally spherical contact probe head surface that assures a uniform contact with the edge of contact bores of printed circuit boards. The Bauer probe tip is a spherical contact probe that is not a conductive flexible coil. The Bauer probes, not the probe tips, are made of an elastic material such as spring steel and are surrounded by a coil spring. Neither the elastic material probe nor the surrounding coil spring ever couple with a device to be probed. In fact, the

Application No. 09/832,642  
Amendment dated June 20, 2003  
Reply to Office action of March 20, 2003

elastic material probe and the surrounding coil spring are prevented from coupling and even contacting the device to be probed by the spherical contact probe. It should be noted that the Bauer reference contemplates probing contact bores of printed circuit boards and, therefore, would not be motivated to remove the spherical contact probe.

The Pollock reference is directed to a controlled impedance microcircuit probe. The Pollock probe has an inner conductor and a coaxial outer conductor, with a dielectric separating the two conductors. Each inner conductor is connected to a rigid test pin using a coil spring. The rigid test pin, in turn, connects with the device to be probed. The Pollock coil spring is prevented from coupling and even contacting the device to be probed by the rigid test pin. It should be noted that the Pollock reference contemplates probing bonding pads of microcircuits and, therefore, would not be motivated to remove the rigid test pins.

In the Background of the Invention section of the Pollock reference there is a disclosure that a prior art method of making electrical contact between the probe and the microcircuit bonding pad was to attach a small length of spring wire at the probe tip to make the actual contact with the bonding pad. There is no teaching that the spring wire is a coil. Further, the Pollock reference actually teaches against the use of the spring wire.

As with the Bauer and Pollock references, the Tarzwell and Gen-Kuong references teach probes that are flexible and may include a tubular or flexible spring. As also with the Bauer and Pollock references, the Tarzwell and Gen-Kuong references include a separate tip that makes the actual connection to the device to be probed.

Claim 1, as originally filed and currently pending, is directed to an electrical test probe tip that has a first end of a flexible coil that is for coupling with a device to be probed. None of the known references teach or suggest this limitation. Instead, references such as those cited by the Examiner teach flexible probes with solid, nonflexible tips. The flexible probes do not anticipate claim 1 because they do not have an end for coupling with a device to be probed. The nonflexible tips that do couple with the device to be probed do not anticipate claim 1 because they are not flexible.

Application No. 09/832,642  
Amendment dated June 20, 2003  
Reply to Office action of March 20, 2003

Claim 1 is not taught or suggested by the references alone or in combination and should therefore be allowable. Claims 2-3, 5, and 28-31 are dependent on claim 1 and are allowable for the same reasons as well as because limitations therein are not taught or suggested by the known references.

Claim 13, as originally filed and currently pending, is directed to multipurpose electrical test probe tip that has a first end of a flexible member that is substantially hollow and that flexibly couples with a component to be probed. None of the known references teach or suggest these limitations. Instead, references such as those cited by the Examiner teach flexible probes with solid, nonflexible tips. The flexible probes do not anticipate claim 13 because they do not flexibly couple with a component to be probed. Further, the flexible probes are not substantially hollow. The nonflexible tips that do couple with the device to be probed do not anticipate claim 13 because they are not flexible. Further, the nonflexible tips are not substantially hollow. Claim 13 is not taught or suggested by the references alone or in combination and should therefore be allowable. Claims 14, 16-17, and 32-34 are dependent on claim 13 and are allowable for the same reasons as well as because limitations therein are not taught or suggested by the known references.

In view of the above, it is submitted that claims 1-3, 5, 13-14, 16-17, and 28-34 are patentable over the known references alone or in combination. Reconsideration of the claims is respectfully requested in view of the above amendments and remarks, and early notice of allowance thereof is earnestly solicited.

Please charge Deposit Account No. 50-2115 for any additional fees which may be required.

Respectfully submitted,



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